

the needs of the tribe and the local communities that surround it. Through this bill we give those tribes, the Secretary of the Interior, and future Congresses a framework of water and funding that can be customized to meet the needs of each settlement.

For now, this bill will allow Arizona cities to plan for the future, knowing how much water they can count on. The Indian tribes will finally get "wet" water—as opposed to the paper claims to water they have now—and projects to use the water. In addition, mining companies, farmers, and irrigation delivery districts can continue to receive water without the fear that they will be stopped by Indian litigation.

All final issues between the parties or the United States have been resolved. In particular, the states of Arizona and New Mexico have negotiated the best way to address New Mexico's right under the 1968 Boulder Canyon Project Act, authorizing the CAP, to exchange CAP water on the Gila River.

In summary, this bill is vital to the citizens of Arizona and will provide the certainty needed to move forward with water use decisions. Furthermore, the United States can avoid litigating water rights and damage claims and satisfy its trust responsibilities to the Tribes. The parties have worked many years to reach consensus rather than litigate, and I believe this bill represents the best opportunity to achieve a fair result for all the people of Arizona.

U.S. POLICY IN IRAQ

Mr. LEVIN. Mr. President, this evening on the campus of Michigan State University in Lansing I will be speaking on U.S. policy in Iraq.

My conclusion is that just as it took a new administration to extract the United States from Vietnam, it will take a new administration to extract us from Iraq in a way which leaves that country stable and democratic. We cannot leave Iraq as we did Vietnam.

Nor can we just continue a western occupation of a Muslim nation that is the target and magnet for violence and terror, and that has become more destabilizing than stabilizing. We must change course in Iraq—or else Iraq's future is not likely to be stability and democracy, and the legacy to the world of the Iraq war is likely to be greater turmoil and terror.

I ask unanimous consent that the remarks I will be making this evening be included in full at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

"IRAQ: WHAT NEXT?"

Good evening. I am delighted to be here with you to discuss where we are and where I think we need to go in Iraq.

This is going to be a pretty sober discussion, because I agree with what Republican Senator CHUCK HAGEL said recently: "We're in deep trouble in Iraq." Although President

Bush continues to say that things are going well in Iraq, even Secretary of State Colin Powell acknowledged recently that the situation is "getting worse."

And it is. American soldiers and Marines face an ever strengthening insurgency that puts our troops, the Iraqi people and a stable Iraq at increasing risk. Our troops continue to die and suffer wounds at increasing rates. American and other contractors are being taken hostage and brutally murdered.

The lack of security is having a profound effect on reconstruction and on the effort to establish a stable Iraqi government. We are paying the price for a failed strategy that included rosy pre-war assumptions and a rush to war without first allowing United Nations weapons inspectors to complete their work and without first building a credible and effective international coalition, including Muslim countries, as President Bush's father did in the first Gulf War. This was compounded by the failure to plan for the post-war period and the major mistake of abolishing the Iraqi army rather than using it to help provide security after the cessation of major combat operations.

President Bush said recently that "It's hard to help a country go from tyranny to elections to peace when there are a handful of people who are willing to kill in order to stop the process..." Only a handful of people willing to kill? That's not facing reality—that's ignoring reality.

Late last month, the Washington Post, quoting figures released by Iraq's Health Ministry and the Pentagon, reported that attacks over the previous two weeks had killed more than 250 Iraqis and 29 U.S. military personnel. Further, a sampling of daily reports produced for the U.S. Agency for International Development shows that such attacks now typically number about 70 each day, in contrast to the 40 to 50 a day during the weeks prior to the transfer of sovereignty from the Coalition Provisional Authority to the Iraqi Interim Government. Those reports also indicate that the attacks are wide-spread, with a majority occurring outside the three provinces that have been the principal locations for insurgent violence.

The security situation has deteriorated to the point that there are cities and towns in Iraq where the U.S. and Coalition forces do not go. In the absence of a presence on the ground in places like Fallujah, which has been taken over by insurgents, the U.S. military has resorted to air power to strike safe houses and other places where intelligence indicates the insurgents are located. These attacks have caused death and injuries to innocent Iraqi civilians, and an even greater lack of support for the U.S. presence in Iraq and for the Interim Iraqi Government which supports and relies upon our presence. Assassinations, kidnappings, and beheadings are becoming more frequent. The result is that Iraqis who would like to cooperate with us are deterred from doing so, and we are denied the intelligence that we need to fight the insurgency.

The President may say things are going well in Iraq, but the U.S. Intelligence Community has a different view. The July 2004 National Intelligence Estimate on Iraq reportedly sets out three possible scenarios for Iraq. The worst case was developments that could lead to civil war, and the best case was that the security environment would remain tenuous. This pessimistic National Intelligence Estimate bears out the analysis of former president George Bush in his 1998 book *A World Transformed* concerning the question of whether to march to Baghdad during the 1991 Gulf War. He wrote that "To occupy Iraq would instantly shatter our coalition, turning the whole Arab world against

us. . . It would have taken us way beyond the imprimatur of international law bestowed by the resolution of the Security Council. . . ." He wrote further that doing so would also commit our soldiers to an "urban guerilla war" and "plunge that part of the world into even greater instability and destroy the credibility we were working so hard to reestablish."

Sound familiar?

The President recently dismissed that pessimistic July 2004 analysis of the Intelligence Community, saying "they were just guessing as to what the conditions might be like." Conservative columnist Robert Novak wrote that "for President Bush to publicly write off a CIA paper as just guessing is without precedent." Publicly stating so might be unprecedented, but it appears that this is not the first time the President has actually dismissed CIA warnings. According to the New York Times recently, "two classified reports prepared for President Bush in January 2003 by the National Intelligence Council, an independent group that advises the director of central intelligence . . . predicted that an American-led invasion of Iraq . . . would result in a deeply divided Iraqi society prone to violent internal conflict."

The Administration disregarded that warning, insisting that an American invasion would be welcomed by the Iraqis with open arms. The violent bottom line is that when we attacked Iraq, we blew the lid off the boiling Iraqi pot without a plan to keep the contents from boiling over.

General Franks, the former Commander in Chief of U.S. Central Command, told Senator John Warner and me that he had been told to focus on the combat phase of the war plan and to leave the planning for the stability phase, the aftermath, to the Pentagon's civilian leadership. Then that leadership failed to ensure an adequate number of troops were committed to provide for security, prevent looting, and nip the resulting insurgency in the bud. Back in April of 2003 at the height of the looting in Iraq, Defense Secretary Rumsfeld dismissed newspaper reports of chaos, violence and unrest in Iraq by saying "it was just Henny Penny—the sky is falling." Eighteen months later, it is still falling.

These failures to adequately plan for the post-combat stability phase and to ensure that adequate numbers of troops were on-hand were compounded by the Administration's disastrous decision to disband the Iraqi Army, thereby forcing the U.S. military to begin from scratch to build a new Iraqi security force, and throwing thousands of trained Iraqi military men into the ranks of the unemployed and many into the arms of the insurgency's recruiters.

It is difficult to discern a strategy that is being followed for Iraq today. Marine Lieutenant General Jim Conway, then Marine Corps commander in Iraq, publicly criticized the conflicting orders he received with respect to Fallujah—first the initial order to go in and remove the insurgents, which went against the Marine Corps' strategy of engagement with the civilian population; and then the subsequent order to withdraw, after the Marines had only partly secured the city and after the loss of Marines. Once the orders were reversed, the Marines were withdrawn and control of the city was turned over to a local security force which quickly lost control to the insurgents.

The chaos in Iraq puts the Iraqi elections scheduled for next January at great risk. The UN Special Representative for Iraq, Ashraf Qazi, reported to the Security Council on September 14 that the "vicious cycle of violence" and the lack of security was undermining the world body's efforts to assist in elections set for January. UN Secretary

General Kofi Annan told me last week that the United Nations had supervised many elections in the past, but never one in a war zone like Iraq. He is concerned that the lack of security and the tight time-table will be major impediments to a successful election.

This is compounded by the fact that the Administration has so far been unable to convince any country to provide troops needed to protect the UN presence in Iraq. According to Secretary General Annan, they will be unlikely to do so and the UN will have to depend on the United States and British forces now in Iraq to provide that security. That will mean about 5,000 troops being diverted from fighting the insurgency to protecting the UN presence. Secretary General Annan told me that an American general committed to do that.

This failure to convince any other nations to contribute to a UN security force is a direct consequence of the Administration's alienation of large portions of the world community by its go-it-alone approach to the war in the first place.

The unfortunate result is that a scant four months before nation-wide elections in Iraq, there are only 35 UN staff members in Iraq—far short of the 200 required to support the U.N. staff so essential to a credible election. Just as troubling, virtually none of the 120,000 Iraqis needed to run the 20,000 to 30,000 polling places have been identified and trained for the task.

In the upcoming election, seats in the 275-member National Assembly will be allocated based upon a percentage of overall votes received throughout Iraq. The Secretary General told us that it is not possible to have a credible election in Iraq if parts of the country are not able to participate because of an on-going insurgency. Apparently Secretary of Defense Rumsfeld does not share that concern. In recent testimony before the Senate Armed Services Committee he said, "Let's say you tried to have an election and you could have it in three-quarters or four-fifths of the country. But in some places you couldn't because the violence was too great . . . Well, so be it. Nothing's perfect in life, so you have an election that's not quite perfect. Is it better than not having an election? You bet."

Well, maybe it is not better than not having an election—in fact, it very well might be worse. How would people in Lansing, Detroit and Traverse City feel about the legitimacy of a state-wide election for Governor that they couldn't vote in? A single district election in which large numbers of Iraqis are unable to participate is not likely to move Iraq forward toward a stable political system but toward civil war because it would further alienate a significant portion of the population from the Iraqi government.

The first step in dealing with the problems in Iraq is to face reality. If we insist things are going fine, or if we pretend, as the President incredibly enough put it, that we are dealing with just a "handful of people who are willing to kill," we will be less willing to search for ways to change the negative dynamic and downward spiral which have been unleashed in Iraq. And we will be less willing to search for ways to motivate Iraqi factions' leaders and Islamic countries to become more involved in and be willing to take the risks necessary to build a democratic nation in Iraq. Surely, unless Iraqis want a democratic nation for themselves as much as we want it for them—unless they suppress the violent ones inside their own communities and the terrorists who want to prevent the election in January from happening—our presence will continue to be more destabilizing than stabilizing.

In a recent interview, President Musharraf of Pakistan was asked whether the world is

a safer place because of the war in Iraq. He replied, "No. It's more dangerous. It's not safer, certainly not." President Musharraf continued, "I would say that [the war] has ended up bringing more trouble to the world." President Musharraf concluded that the war in Iraq has "complicated" the war on terror and "has made the job more difficult." The leader of a pivotal Muslim nation and one of America's key allies in the fight against al Qaeda has concluded that the Iraq war has made the world more dangerous and complicated the overall war on terror.

On September 12, 2001, the day after the 9/11 attack upon us, headlines in European newspapers proclaimed "We are all Americans." The world community united behind America in the effort to destroy al Qaeda and remove the Taliban regime in Afghanistan that supported it. But the President's unilateralist policies and cocky "bring 'em on" rhetoric squandered that good will and undermined that spirit of cooperation by terminating UN inspections and invading Iraq without any Islamic nations' support—thereby diverting the focus from the real terrorist threat of Osama bin Laden and al Qaeda in Afghanistan. The western invasion and occupation of an Islamic country has swelled the ranks of terrorists.

We would be compounding that strategic blunder by leaving Iraq as an unstable, failed state dominated by Islamist extremists and a haven and breeding ground for even more terrorists. To succeed we must be willing to change direction to seek an alternative third path to the two stark choices the President offers—of staying the course or cutting and running.

The alternative is to change our course with an Administration that sees the reality on the ground; that is open to new approaches and isn't locked in to a course of action that isn't working; and that hasn't dismantled bridges to the international community, particularly Islamic countries, whose support we need.

President Bush is incapable of rebuilding the bridges to the international community which he dismantled. A poll by a Canadian company found that only 20% of the people in the countries surveyed overseas support President Bush's policies.

Loss of public support in other countries isn't simply a matter of losing a popularity contest—it is a direct threat to our security. The leaders of those countries are far less likely to take the political risks that are entailed in joining us in Iraq with troops or police if their publics strongly oppose their doing so and strongly disagree with the policies of the American administration. Listen to what the Director of the Defense Intelligence Agency, Admiral Lowell Jacoby, told the Senate Armed Services Committee about how America is viewed in the world:

"Much of the world is increasingly apprehensive about U.S. power and influence. Many are concerned about the expansion, consolidation, and dominance of American values, ideals, culture, and institutions . . . We should consider that these perceptions mixed with angst over perceived 'U.S. unilateralism' will give rise to significant anti-American behavior."

So what should we do in Iraq?

We need an Administration which can rebuild those bridges to the international community, so we can "de-Americanize" this conflict and move towards a stable and democratic Iraq. To do that, we need additional international troops, particularly from Muslim nations, which this Administration has proven incapable of obtaining.

We also need to train and equip Iraqi troops more quickly and more thoroughly than we are currently doing. It is particu-

larly critical to provide these Iraqi troops far more quickly with the equipment that will instill in them a confidence in their abilities to defeat insurgents.

Creating a secure environment is not only a military task, but a political one as well. We must make it clear to all segments of Iraqi society that the U.S. has no design on Iraqi oil or other resources and has no intention of creating a long-term base structure or military presence in Iraq.

The reconstruction effort must be brought back on track. According to a recent report by the Center for Strategic and International Studies, "The lack of sufficient electricity in major cities continues to undermine public confidence, fueling worrisome discontent in cities like Fallujah and Mosul, which were favored under Saddam and now receive considerably less power than in prewar days. Sewage systems are worse than they were under Saddam, causing spillover health and environmental problems."

Eleven months after Congress approved the money, only 6% of the \$18.4 billion for Iraq reconstruction has been spent. And recently the Administration asked Congress for permission to transfer nearly \$3.5 billion from Iraqi water, sewer and electricity projects to security and electoral efforts. Unfortunately this needs to be done, but it is another example of how the failure to properly plan for the post-combat stability phase and the failure to ensure the necessary troop levels to ensure security has hampered reconstruction and the creation of a stable Iraq.

The Republican Chairman of the Foreign Relations Committee, Senator DICK LUGAR, recently blamed the mismanagement of the whole Iraq reconstruction effort on "incompetence in the administration". The focus of the reconstruction effort must be shifted from large projects awarded to U.S. and other foreign companies to those that will employ the greatest number of Iraqis, giving Iraqi society at large an economic stake in the post-Saddam Iraq that will contribute to a politically stable state.

None of this will be easy. But we are where we are in Iraq. Just as it took a new administration to extract the United States from Vietnam, it will take a new administration to extract us from Iraq in a way which leaves that country stable and democratic. We cannot leave Iraq as we did Vietnam.

Nor can we just continue a western occupation of a Muslim nation that is the target and magnet for violence and terror, and that has become more destabilizing than stabilizing. We must change course in Iraq—or else Iraq's future is not likely to be stability and democracy, and the legacy to the world of the Iraq war is likely to be greater turmoil and terror.

JOHN F. KENNEDY CENTER REAUTHORIZATION ACT OF 2004

Mr. INHOFE. Mr. President, I rise in support of the passage of HR 5294—the "John F. Kennedy Center Reauthorization Act of 2004." As Chairman of the Senate Committee with jurisdiction over the John F. Kennedy Center for the Performing Arts, I am pleased that, working closely with the Kennedy Center, we were able to reach an agreement with the House of Representatives. This legislation authorizes funding for the maintenance, repair and security, as well as capital projects through Fiscal Year 2007. Additionally, the legislation revises the John F. Kennedy Center Plaza Authorization Act of 2002 to direct the Secretary of Transportation to establish a Center Plaza